

CERTIFICATE OF MAILING
37 C.F.R. 1.8

Hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450, on the date below:

October 20, 2003 Cynthia A. Linn
Date Signature

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
John Conan Doyle

Serial No.: 10/619,921

Filed: 07-15-2003

For: System and Method for Measuring Animals

Group Art Unit: 1734

Examiner: Unknown

Atty. Dkt. No.: 13544.0002.NPUS00

Confirmation No.: 7148

INFORMATION DISCLOSURE STATEMENT FILED UNDER 1.97(B)

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record.

* * *

In order for an applicant for a patent or for a reissue of a patent to have an information disclosure statement in compliance with § 1.98 considered by the Office during the pendency of the application, the information disclosure statement must satisfy one of paragraph (b), (c), or (d) of this section. [37 CFR § 1.97(a)]

* * *

As provided by 37 CFR 1.97(b), this information disclosure statement is believed to be timely filed for consideration by the Office because it has been filed by the applicant:

- ☐ (1) Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d);
- ☐ (2) Within three months of the date of entry of the national stage as set forth in § 1.491 in an inter-national application;
- ☒ (3) Before the mailing of a first Office action on the merits; or
- ☐ (4) Before the mailing of a first Office action after the filing of a request for continued examination under § 1.114.

If for some reason a first Office Action has issued on the above application, the undersigned representative requests that this Information Disclosure Statement be accepted under 37 CFR 1.97(c)(2), and the undersigned authorizes the charging of the fee due as set forth in 37 CFR 1.17(p) to Deposit Account 01-2508/13544.0002.NPUS00. The undersigned representative requests any extension of time that may be deemed necessary to further the prosecution of this application. The undersigned representative authorizes the Commissioner to charge any additional fees under 37 C.F.R. 1.16 or 1.17 that may be required, or credit any overpayment, to Deposit Account No. 01-2508/13544.0002.NPUS00.

* * *

This information disclosure statement is being filed in accordance with section 37 CFR § 1.97 and shall not be construed as a representation that a search has been made. [37 CFR § 1.97(g)]

The filing of this information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b). [37 CFR § 1.97(h)]

* * *

In accordance with 37 CFR § 1.98 (a)(1), this information disclosure statement filed under 37 CFR § 1.97 includes (1) a list of all patents, publications, or other information submitted for consideration by the Office on the accompanying PTO-FORM 1449.

Copies of the listed documents are enclosed for the convenience of the Examiner. In accordance with 37 CFR § 1.98 (a)(2), legible copies of: (i) each U.S. patent application and U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) for each cited pending U.S. application, the application specification including the claims, and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion; and (iv) all other information or that portion which caused it to be listed.

* * *

In accordance with 37 CFR § 1.98 (3), this information disclosure statement includes:

☒ (i) a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR § 1.56(c) most knowledgeable about the content of the information, of each patent, publication, or other information listed that is not in the English language. The concise explanation may be either separate from the specification or incorporated therein;

☒ (ii) A copy of the translation if a written English-language translation of a non-English-language document, or portion thereof, is within the possession, custody, or control of, or is readily available to any individual designated in § 1.56(c).

A translation in English of JP 10-206549 is not available to the Applicant at this time, and only a copy of the original document is being filed with an English translation of the Abstract. However, Applicants will gladly provide a full translation of this references should the Examiner deem it to be necessary. JP 10-206549 is relevant because it discloses a device for measuring the stature of a subject (8) by an ultrasonic sensor (100). *See* English Abstract and Figure 1.

* * *

In accordance with 37 CFR § 1.98 (b), (1) each U.S. patent (if any) listed in the PTO FORM 1449 for this information disclosure statement is identified by inventor, patent number, and issue date. (2) Each U.S. patent application publication (if any) listed in the PTO FORM 1449 is identified by applicant, patent application publication number, and publication date. (3)

Each U.S. application (if any) listed in the PTO FORM 1449 is identified by inventor, application number, and filing date. (4) Each foreign patent or published foreign patent application (if any) listed in the PTO FORM 1449 is identified by the country or patent office which issued the patent or published the application, an appropriate document number, and the publication date indicated on the patent or published application. (5) Each publication (if any) listed in the PTO FORM 1449 is identified by author (if any), title, relevant pages of the publication, date and place of publication.

The undersigned representative requests that an initialed copy of the enclosed FORM 1449 be entered into the application file wrapper and returned to the undersigned with the next communication from the Office.


* * *

To facilitate the resolution of any issues or questions presented by this paper, the Examiner should directly contact the undersigned by phone to further the discussion.

Respectfully submitted,

Date:

Oct. 20, 2003


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Form PTO-1449 (modified)

Office of Patents and Publications for Applicant's

INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

Atty. Docket No.
13544.0002.NPUS00Serial No.
10/619,921Applicant
John Conan DoyleFiling Date:
07-15-2003Group:
1734U.S. Patent Documents
*See Page 1*Foreign Patent Documents
*See Page 2*Other Art
See Page 2

U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
	A1	US- 4280448	06-28-1981	Osterman	119	155	
	A2	US- 4288856	09-08-1981	Liseth	364	567	
	A3	US- 4617876	10-21-1986	Hayes	119	155	
	A4	US- 4733971	03-29-1988	Pratt	366	141	
	A5	US- 4745472	05-17-1988	Hayes	356	107	
	A6	US- 4815042	03-21-1989	Pratt	366	141	
	A7	US- 4889433	12-26-1989	Pratt	366	141	
	A8	US- 5315505	05-24-1994	Pratt et al.	364	413.01	
	A9	US- 5340211	08-23-1994	Pratt	366	141	
	A10	US- 5483441	01-09-1996	Scofield	364	400	
	A11	US- 5576949	11-19-1996	Scofield et al.	364	401	
	A12	US- 5673647	10-07-1997	Pratt	119	51.02	
	A13	US- 6591221	07-08-2003	Doyle	702	159	

U.S. Patent Application Publications

Exam. Init.	Ref. Des.	Publication Number	Date	Applicant	Class	Sub Class	Filing Date of App.
	A14	20020050248	05-02-2002	Pratt	119	51.02	

U.S. Patent Applications

Exam. Init.	Ref. Des.	Application Number	Filing Date	Inventor	Art Unit	Status	Examiner
	A15						

EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

INFORMATION DISCLOSURE STATEMENT — PTO-1449 (MODIFIED)



Form PTO-1449 (modified)		Atty. Docket No. 13544.0002.NPUS00	Serial No. 10/619,921
List of Patents and Publications for Applicant's INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)		Applicant John Conan Doyle	
		Filing Date: 07-15-2003	Group: 1734
U.S. Patent Documents <i>See Page 1</i>	Foreign Patent Documents <i>See Page 2</i>	Other Art <i>See Page 2</i>	

U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
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Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No
	B1	AU 744213	01-10-2000	John C Doyle	G01N	033/12	N/A
	B2	CA 2335845	12-21-2000	John C Doyle	G01N	33/12	N/A
	B3	CA 2216309	11-12-1997	Andre Davignon	A61B	5/107	N/A
	B4	WO 9967631	12-29-1999	John Doyle	G01N	33/12	N/A
	B5	JP 10-206549	08-07-1998	Aloca Co LTD	G01T	1/169	Abstract Only

Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C1	F.J.C. SWANEPOEL and H. HEYNS, The Influence of Shoulder Height and Body Length on Performance of Simmentaler Bulls, South African Journal of Animal Science undated, Vol. 16, pages 31-35.
	C2	D. G. FOX, Using Computer Models in Extension to Develop More Profitable Feeding Systems, Department of Animal Science, Cornell University, obtained from http://www.inform.umd.edu/EdRes/Topic/AgrEnv/n... , 2/03, pgs. 1-14.

EXAMINER:**DATE CONSIDERED:**

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INFORMATION DISCLOSURE STATEMENT — PTO-1449 (MODIFIED)